



# City of Hampton, VA

## Meeting Minutes

### City Council

22 Lincoln Street  
Hampton, VA 23669  
[www.hampton.gov](http://www.hampton.gov)

*W. H. "Billy" Hobbs, Jr.*  
*Will Moffett*  
*Chris Snead*

*Christopher G. Stuart*  
*Donnie R. Tuck*  
*George E. Wallace*

*Molly Joseph Ward, Mayor*

#### *Staff:*

*Mary Bunting, City Manager*  
*Cynthia Hudson, City Attorney*  
*Katherine K. Glass, CMC, Clerk of Council*

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Monday, November 5, 2012

12:01 PM

Council Chambers, 8th Floor, City Hall

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### **CALL TO ORDER/ROLL CALL**

### **MOLLY JOSEPH WARD PRESIDED**

**PRESENT:** Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace

**ABSENT:** W.H. "Billy" Hobbs, Jr.

Mayor Ward welcomed everyone to the Special Council Meeting. She explained that the meeting was called specifically to address two items related to Hurricane Sandy and to ratify the actions of the City Manager.

### **AGENDA**

1. 12-0393 Resolution Of The Council Of The City Of Hampton, Virginia Confirming The Declaration Of A Local Emergency Made Necessary By Hurricane Sandy, Which Was Declared By The Hampton Director Of Emergency Management On October 27, 2012

**WHEREAS**, Section 44-146.21 of the Code of Virginia, 1950, as amended, prescribes necessary actions precedent to a declaration of a local emergency; and

**WHEREAS**, Section 44-146.21 prescribes two methods for declaring an emergency: the first is accomplished by the local director of emergency management with the consent of the governing body; the second is accomplished by the director of emergency management without the initial consent of the governing body, but such declaration must be confirmed by the governing body at its next regularly scheduled meeting or at a special meeting within fourteen days of the declaration, whichever is first to occur; and

**WHEREAS**, it was necessary and proper on October 27, 2012 for the City Manager, acting as Hampton Director of Emergency Management, to declare a local emergency in the City in the wake of Hurricane Sandy without first obtaining the consent

of the Hampton City Council (the "Council"), and confirmation by the Council is now required by law; and

**WHEREAS**, the Council is satisfied that the high winds and heavy rains and related conditions caused by Hurricane Sandy constituted a real and substantial threat to the health and safety of persons and property in the City and necessitated a declaration of local emergency.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Hampton, Virginia:

1. That it hereby confirms the Declaration of Local Emergency made on October 27, 2012 by the Director of Emergency Management, and such declaration shall remain effective until the emergency conditions occasioned by the storm are declared terminated by this Council.

2. That it understands and confirms that the Declaration of Local Emergency empowered the Director of Emergency Management with special authority and duties, said authority and duties being defined by the laws, rules, regulations and plans of the United States of America, the Commonwealth of Virginia and the City of Hampton.

3. That it understands and confirms that when, in the judgment of this Council, all needed emergency actions have been taken, appropriate action to end the declared local emergency will be taken by this Council.

Ms. Bunting stated the Code requires that within 14 days of a local declaration of emergency, the Council must ratify that decision, and therefore, we needed to have a special meeting since our next regular meeting would not take place within that 14 day period. She explained that with the threat of Hurricane Sandy, it was necessary for Emergency Management staff, first responders and recovery teams of the City to make the necessary preparations for the emergency, and therefore, we wanted to make the local declaration so that residents would take the storm seriously and so that those in low lying and coastal areas would evacuate.

Ms. Bunting added that we did multiple things to assist including communications that were sent out and offering shelter, all of which was necessitated by the storm and the local declaration of emergency which assisted us in those efforts.

Councilman Stuart commended the staff at Phenix High School and noted that everyone there was appreciative of their efforts.

**ADOPTED ON FIRST READING**

**Motion made by:** Councilmember Will Moffett

**Seconded by:** Councilmember Christopher G. Stuart

**Ayes:** 6 - Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

**Nays:** 0

**Absent:** 1 - W.H. "Billy" Hobbs, Jr.

2. 12-0394 An Ordinance To Suspend Payment Of Certain Fees Associated With Permits Required To Repair Or Replace Property Damage Occasioned By Hurricane Sandy

Mayor Ward noted that this is consistent with what we usually do following a storm.

Ms. Bunting agreed with Mayor Ward and stated that we try to provide some relief to those homeowners and businesses that have damage when natural disasters hit by waiving permit fees; however, this requires Council's authority. She stated we were blessed not to have a significant amount of damage and as listed in Council's Friday report, there were approximately 44 homeowners and/or businesses impacted at a preliminary estimate of \$560,000. We have some public improvements that have been impacted that were not in that report, but will be added subsequently. For those 44 homeowners or businesses, this will provide some relief for a situation that was not of their own making. She recommended we continue our past practice of authorizing the waiving of those permit fees.

**ADOPTED**

**Motion made by:** Councilmember Chris Snead

**Seconded by:** Councilmember Will Moffett

**Ayes:** 6 - Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

**Nays:** 0

**Absent:** 1 - W.H. "Billy" Hobbs, Jr.

The meeting adjourned at 12:04 p.m.

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Molly Joseph Ward  
Mayor

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Katherine K. Glass, CMC  
Clerk of Council

Date approved by Council \_\_\_\_\_